



BUCKET NO. P04761 (NATI15-04761)
Customer No. 23990

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re provisional application of : JOHN E. GAVLIK, ET AL.
U.S. Serial No. : 09/713,389
Filed : November 15, 2000
For : NETWORK INTERFACE CARD USING PHYSICAL LAYER
MICROCONTROLLER AND METHOD OF OPERATION
Group No. : 2157
Examiner : Hussein A. El Chanti

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

Sir:

The undersigned hereby certifies that the following documents:

1. Notice of Appeal;
2. Fee Transmittal for FY 2005 (in duplicate);
3. Check in the amount of \$500.00 for the Notice of Appeal Filing Fee; and
4. Postcard receipt.

relating to the above application, were deposited as "First Class Mail" with the United States Postal Service, addressed to MAIL STOP AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 2, 2005.

Date:

FEBRUARY 2, 2005

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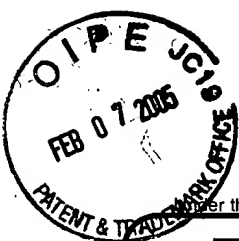
Kathleen Newkome

Date:

February 2, 2005

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PTO/SB/17 (10-04v2)

Approved for use through 07/31/2006. OMB 0651-0032
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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 500.00

Complete if Known

Application Number	09/713,389
Filing Date	November 15, 2000
First Named Inventor	John E. Gavlik
Examiner Name	Hussein A. El Chanti
Art Unit	2157
Attorney Docket No.	P04761 (NAT115-04761)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

50-0208

Davis Munck, P.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$) -0-	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	- 3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$) -0-

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	\$500.00
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 500.00

SUBMITTED BY

(Complete if applicable)

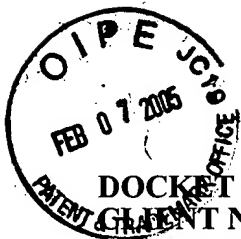
Name (Print/Type)	Frederick D. Hamilton	Registration No. (Attorney/Agent)	29,717	Telephone	972-628-3600
Signature	Frederick D. Hamilton	Date	2/2/05		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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AF 32W

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Examiner: Hussein A. El Chanti

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Commissioner for Patents
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Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL

The Applicants hereby appeal to the Board of Appeals from the decision of the Examiner dated August 13, 2004, finally rejecting Claims 1-23.

The Applicants have included a check in the amount of \$500.00 to cover the cost of this NOTICE OF APPEAL.

The Applicants believe that no extension of time fee is required with this NOTICE OF APPEAL. In response to the Office Action dated August 13, 2004, the Applicants filed an AMENDMENT AND RESPONSE on October 12, 2004. The Applicants therefore responded to the Office Action within two months of the mailing date of the Office Action.

According to the Office Action and pursuant to MPEP § 706.07(f), the shortened statutory period for replying to the Office Action expires three months from the date of the final

rejection or on the mailing date of an Advisory Action, whichever is later. As of this time, the Applicants do not believe that any Advisory Action has been mailed. Because no Advisory Action has been mailed, the shortened statutory period for replying to the Office Action has not yet expired, and no extension of time fee is due. However, in the event that an Advisory Action has recently been mailed, only a one (1) month extension of time would be required with this NOTICE OF APPEAL, and the Commissioner is hereby authorized to charge the required extension of time fee to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: February 2, 2005

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